



RECEIVED

MAR - 5 2002
Corres. and Mail
TC 2800 MAIL ROOM
BOX AF

Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2800

AF
2800
PATENT
ATTORNEY DOCKET NO.: 040894-5507

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Haruo TANAKA)
Application No.: 09/447,419)
Filed: November 23, 1999)
For: ORGANIC EL DEVICE AND METHOD OF)
MANUFACTURING THE SAME)
Box AF
Group Art Unit: 2879
Examiner: M. Santiago

Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

AMENDMENT
UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Final Office Action dated November 29, 2001, (Paper No. 7), and pursuant to 37 C.F.R. § 1.116, the period of response to which extends through February 28, 2002.
2. Additional papers enclosed.

Notice of Appeal
 Request for Approval of Drawing Changes
 Information Disclosure Statement
 PTO Form 1449
 References cited on Form 1449
 Declaration of Biological Deposit

3. **EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[Fee for Small Entity]</u>
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 390.00	\$195.00
[] three months	\$ 890.00	\$445.00
[] four months	\$1,390.00	\$695.00
[] five months	\$1,890.00	\$945.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

An extension for months has already been secured and the fee paid therefor of is deducted from the total fee due for the total months of extension now requested.

4. **CONSTRUCTIVE PETITION**

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. **FEE CALCULATION**

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims	3	minus	20	0	<u>0</u> x \$18 each=	+ 0.00
Independent Claims	1	minus	3	0	<u>0</u> x \$80 each=	+ 0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$270.00	+ 0.00
SUB-TOTAL =						\$ 0.00
Reduction by 1/2 for filing by a small entity						0.00
TOTAL FEE =						\$ 0.00

6. **FEE PAYMENT**

No fee is to be paid at this time.

The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

Please charge Deposit Account No. 50-0310 the amount of \$ _____ for _____ . The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

[x] The Commissioner is hereby authorized to charge any additional fees including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 28, 2002

By:


David J. Kenealy
Reg. No. 40,411

CUSTOMER NO.: 009629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue

Washington, D.C. 20004

(202) 739-3000-p

(202) 739-3001-f